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SUBJECT: AMBASSADOR'S MEETING WITH THE LEADER OF THE BASOTHO LAND
AFRICAN CONGRESS

MASERU 00000222 001.2 OF 003

11. Summary: The Ambassador met with the leader of the Basotholand African Congress (BAC), Dr. Khauhelo Ralitapole, on Thursday 20 April, 2006. Dr. Ralitapole is also Chairperson of the Parliamentary HIV/AIDS, a member of the Pan-African Parliament and Chairperson of the Health Committee of the Southern African Development Community (SADC) Parliamentary Forum. She is also a former minister of health in the Basotholand Congress Party (BCP) government before it split and the current ruling party emerged. Ralitapole was accompanied by her deputy, Mr. Paanya Phoofolo, a former Government Secretary and Lesotho Ambassador to the United Nations and China. Their discussion focused on preparations for the 2007 national elections, controversy surrounding the Independent Electoral Commission (IEC) and issues regarding the fight against the scourge of the HIV/AIDS pandemic. Dr. Ralitapole was critical of the GOL's policies and actions and warned of significant unhappiness within the opposition parties. The Ambassador stressed the need for peaceful, fair elections and the importance of all stakeholders being able to voice their views, as well as to participate in the electoral process. She noted the international community's eagerness to assist with election preparations to ensure a free and fair process. End Summary

Lesotho's 2007 national elections

12. The Ambassador noted that since Lesotho will be taking over the chairmanship of the Southern African Development Community (SADC) from Botswana in August 2006, many people in the region are going to be looking at the country's 2007 national elections with keen interest. She pointed out that as Lesotho's prominence in the region increases, the stability of the country becomes more important. She stated that the donor community will be willing to assist with electoral support to ensure clean and acceptable elections. The Ambassador stressed that several SADC member states such as Botswana, Mozambique, Namibia and Tanzania have held peaceful elections recently and therefore, it is the interest of the international community and for the citizens of Lesotho to follow suit.

13. Ralitapole stated that her party was looking forward to the 2007 elections but due to lack of information from the government, they are in the dark. Dr. Ralitapole said there is a need for the date of the election to be known as early as possible. She added that this would be important for opposition parties to ensure that the government does not catch them off-guard by announcing the date for snap national elections at the eleventh hour. (Note: There have been announcements of a May 2007 election date.)

14. She also indicated that rumors which surfaced last year after local government elections, suggesting that there will be simultaneous national and local elections in 2007, have created a lot of anxiety within the opposition parties. The BAC leader added that the government has failed to clarify this matter. Dr. Ralitapole stressed that her party would strongly advise against holding the two elections at the same time because this would confuse the electorate who still lack sensitization on local government elections. Raditapole suggested that it is essential to clarify the functions and powers which have been decentralized. She pointed out that there is also a need to clarify the role of councilors, chiefs and district administrators. She observed that failure to do this has already created conflict among the councillors and chiefs. Responding to the Ambassador's inquiry of whether any of the SADC countries have held simultaneous local and national elections, Dr. Ralitapole indicated that none of the SADC member states have done that and suggested that this would be unprecedented in the region and therefore, not advisable.

15. Dr. Ralitapole asserted that the ruling party in Lesotho has chosen to ignore the desires of the people in various policy measures. She pointed out that there is a growing trend by the incumbent government to operate in a shrewd manner under the guise of stability. She added that there is a propensity by "autocratic democrats" who play on the people's ignorance and who are not in tune with the mood of the people. She emphasized that this creates voter apathy.

16. The Ambassador encouraged the BAC leader and her colleagues to suggest the types of fora, which can facilitate communication among various stakeholders. Dr. Ralitapole stated that opposition parties have requested to have regular dialogue with the Prime Minister but this has not happened. She also indicated that the state media are used to cover issues concerning the ruling party only. She added that the Parliamentary Reforms Committee has suggested that the state media should cover live debates in parliament and also that the House introduce a weekly "Prime Minister's Question Time" similar to what occurs in

MASERU 00000222 002.2 OF 003

the British parliament.

17. Dr. Ralitapole mentioned that election campaign periods result in misgivings because of alleged incumbent government's misuse of government vehicles and victimization of private businessmen who openly support opposition parties. She stressed that this creates an unequal platform for competition. The Ambassador indicated that the international community is willing to provide electoral support and to encourage the government to have dialogue with the opposition parties; it is up to all parties to openly express their opinions on electoral procedures, she added.

Controversy surrounding the IEC

18. Dr. Ralitapole claimed that the Prime Minister's decision to extend the contract of the Chairman of the IEC Leshele Thoahlane was unconstitutional. She added that the opposition parties and private law firms have questioned the Attorney General's interpretation of the law regarding the contract extension. She expressed concern that some opposition parties are already threatening to boycott next year's elections as a result of the PM's decision. Phoofolo stressed that the PM's decision to take the matter involving the extension of the contract of the IEC Chairman to the Council of State was done deliberately to ensure that the PM had the upper hand against the wishes of opposition parties. He indicated that as members of the Council, the Chief Justice and another senior judge would not rule against a decision made by the council if opposition parties took the matter to the courts of law i.e., not challenge their own existing decision. This, according to Phoofolo, would not satisfy the due process of law. He added that appointment of IEC

Chairman and Commissioners should be done in consultation with opposition parties, not as courtesy as the PM suggested.

¶9. Dr. Ralitapole noted another issue involving the IEC -- the fraud charge faced by two officers of the IEC, Khothatso Ralitsie, Director of Elections and Kotsoane Motsie, Operations Inspector. (Note: The two officers were accused of collaborating with two directors of M and K Security Company that guards IEC facilities. They are accused of making false payments to "phantom guards" and also exaggerating the number of guards. The four were released on payment of \$ 650.00 bail per person. End note.) Ralitapole stressed that the two officers should have been suspended while investigations continued. She pointed out that the fact that they have such sensitive jobs and continue to be on the job, tarnishes the image of the IEC.

Combating the HIV/AIDS Pandemic

¶10. Dr. Ralitapole indicated that the role of parliament has been left out in important government declarations made on HIV/AIDS issues. She said the SADC Parliamentary Forum had proposed a meeting to harmonize the involvement of parliamentarians in these issues across the region. She added that there is a need to focus on universal access issues such as prevention, treatment and support. The BAC leader also stated that the structures of the National AIDS Commission (NAC) need to be strengthened in order to become fully functional.

¶11. Dr. Ralitapole cited staffing of clinics and laboratory facilities as critical problems. The Ambassador noted that the Millennium Challenge Corporation (MCC) is expecting a proposal from GOL on the renovation of clinics across the country and building of access roads to those clinics. She pointed out that the MCC would also focus on business development and clean water supply. The Ambassador concurred that human resource issue is a major issue across the board. She also advised Ralitapole that CDC would soon provide lab equipment for the clinics. Ralitapole indicated that provision of lab equipment would help immensely. She pointed out that there is a need to improve facilities in key areas where the anti-retroviral rollout program has started. The Ambassador concluded by suggesting that there is a need for a unified approach by various organizations to coordinate and liaise with NAC.

¶12. Comment: The issue brought up by opposition parties regarding the ruling party's misuse of government vehicles and state media is nothing new. It is unlikely, however, that the government will stop using the vehicles during the campaign period because of "tradition" and no attempt by law enforcement to apply the regulations. The extension of the IEC Chairman's contract and the IEC's decision to allow Ralitsie and Motsie to

MASERU 00000222 003.2 OF 003

continue be on active duty may tarnish the image and integrity of the IEC. This may also contribute to apathy as some opposition parties have already expressed their lack of confidence in the IEC and threatened to boycott the 2007 elections. It is too early to gauge what the reaction of opposition parties will be once the date of elections is announced.
PERRY